

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

BRANDON RAY MCKINNEY

PLAINTIFF

v.

No. 08-2003

CAPTAIN CONGER, Sebastian County
Detention Center, SHERIFF FRANK
ATKINSON, and BARRY AYERS

DEFENDANTS

ORDER

Now on this 16th day of October 2008, there comes on for consideration the report and recommendation filed herein on September 26, 2008, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 18). The parties have not filed any objections to the report and recommendation.

The court has reviewed this case and, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, Defendants' motion to dismiss (Doc. 16) is GRANTED, and Plaintiff's Complaint is DISMISSED for failure to prosecute this action and comply with the Court's orders. See Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge